

From: Betsy Lehrfeld
To: Microsoft ATR
Date: 1/27/02 3:19pm
Subject: Microsoft Settlement

Renata B. Hesse
Antitrust Division
United States Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530-0001

Re: Proposed Microsoft Settlement

Dear Ms. Hesse:

I write to object to the proposed settlement as not being in the public interest. The settlement leaves the Microsoft monopoly intact. It is vague and unenforceable. It leaves Microsoft with numerous opportunities to exempt itself from crucial provisions.

A solution to the Microsoft monopoly problem should be market based and self-enforcing. Any solution that requires constant policing and is perceived as punitive will only contribute to Microsoft's sense that it has been wronged and encourages a culture of evasion ? already evident in various recent Microsoft actions.

The answer is to take away Microsoft's ability to exercise monopoly power. To do this, the applications barrier to entry must be reduced or eliminated. Any settlement or order needs to provide ways for consumers to run any of the 70,000 existing Windows applications on any other operating system.

Consumers need a la carte competition and choice so that they, not Microsoft, decide what products are on their computers. The settlement must provide ways for any combination of non-Microsoft operating systems, applications, and software components to run properly with Microsoft products.

The remedies proposed by the Plaintiff Litigating States are in the public interest and absolutely necessary, but they are not sufficient without the remedies mentioned above.

The court should hold public proceedings under the Tunney Act, and these proceedings must give citizens and consumer groups an equal opportunity to participate, along with Microsoft's competitors and customers.

Thank you for your attention.

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